

*Wills
Jhu*

7 June 1973

MEMORANDUM FOR: Mr. Houston

SUBJECT : Protection of Foreign Diplomatic
Missions in the United States

1. You asked whether there are any special guidelines for the Executive Protective Service (EPS) for entering upon the property of foreign diplomatic missions located in the United States.

2. The EPS, which is supervised by the Director of the Secret Service, is responsible for protecting foreign diplomatic missions located in the D.C. metropolitan area and in other areas in the United States as the President, on a case-by-case basis, may direct. 3 U.S.C.A. 202. The EPS follows the general rule of international law that the property of a foreign diplomatic mission is inviolate. The domicile of a diplomatic officer, including his house, grounds, buildings, and appurtenances, including vehicles, is exempt from local jurisdiction.

3. The EPS has published no regulations in the Code of Federal Regulations. It has received no instructions from either the Department of State, the Department of the Treasury, or the Secret Service which state under what conditions the EPS may enter upon the property of a foreign diplomatic mission. The EPS itself has written and issued a "General Order" to its force which states the rule of law set forth above and the conditions for entry upon foreign property. According to Mr. Vincent P. Mroz, the Deputy Assistant Director (Protective Forces) Exec-

utive Protective Service, EPS officers stay on public property at all times and only enter upon the property of a foreign mission at the request of the head of the mission or his designee. Under emergency conditions, however, consent of the mission head is implied. Examples of such conditions include fire, riot, or apprehension of an individual observed committing a criminal act, such as burglary or arson.

4. Mr. Mroz also stated that there is a procedure called a "Special Attention Alert". A foreign mission may ask the EPS to observe closely its property based upon the past infringement of the mission's property by certain persons or groups. This is an example of implied consent to enter upon the property to arrest suspected troublemakers. When the EPS contacts a foreign mission with information concerning, for example, a bomb threat, the extent of the search conducted by the EPS depends upon the mission. Mr. Mroz mentioned that when bomb threats are reported, the Soviet Union allows the EPS to search its grounds but not its buildings while some other nations, such as Israel and a few of the Arab states, allow both a grounds and a building check by the EPS.

STATINTL



Office of General Counsel

OGC:AEG:cap
O-Subject Buildings-Grounds & Property
1-OGC chrono
1-AEG signer